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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 ALEXIS CASTILLO,

No. C 05-00284 WHA

11 Plaintiff,

12 v.

**ORDER RE MOTIONS TO  
SHORTEN TIME AND TO  
BIFURCATE**

13 CITY AND COUNTY OF SAN FRANCISCO;  
14 PERRY HOLLIS; MARTIN SCANLAN;  
15 DAVID SMITH; RON ROTH; COUNTY OF  
SAN MATEO; FRANK KASTELL;  
16 SHERYL WOLCOTT; and DOES 1–50,

16 Defendants.  
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18 The Court will hear defendants’ motion to bifurcate at the pretrial conference set for  
19 February 21, 2006. Plaintiff has until **NOON, FRIDAY, FEBRUARY 17, 2006**, to file any  
20 opposition brief.

21 This departure from the Local Rules’ timeline for administrative motions is justified by  
22 the utility of considering the issue on the merits as soon as possible, given that trial is to begin  
23 March 6. The issue is one of procedure. It is simple and does not require extensive briefing.  
24 Therefore, the deviation from the Local Rules is slight, plaintiff is not prejudiced and  
25 substantial rights are not affected. *See Allen v. U. S. Fid. & Guar. Co.*, 342 F.2d 951, 954 (9th  
26 Cir. 1965) (“It is for the court in which a case is pending to determine, except as it is bound by  
27 precedents set by higher authority . . . what departures from . . . rules of court are so slight and  
28 unimportant that the sensible treatment is to overlook them.”); *Nunley v. City of L.A.*, 52 F.3d  
792, 795 (9th Cir. 1995) (“[A] district judge has broad discretion to depart from local rules

1 . . . where it makes sense to do so and substantial rights are not at stake.”) (internal quotation  
2 marks omitted).

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4 **IT IS SO ORDERED.**

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7 Dated: February 15, 2006

  
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8 WILLIAM ALSUP  
9 UNITED STATES DISTRICT JUDGE  
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